

BAKER & MCKENZIE

Baker & McKenzie LLP
1114 Avenue of the Americas
New York, New York 10036, USA

Tel: +1 212 626 4100
Fax: +1 212 310 1600
www.bakernet.com

Asia

Pacific

Bangkok
Beijing
Hanoi
Ho Chi Minh City
Hong Kong
Jakarta
Kuala Lumpur
Manila
Melbourne
Shanghai
Singapore
Sydney
Taipei
Tokyo

**Europe &
Middle East**

Almaty
Amsterdam
Antwerp
Bahrain
Baku
Barcelona
Berlin
Bologna
Brussels
Budapest
Cairo
Düsseldorf
Frankfurt / Main
Geneva
Kyiv
London
Madrid
Milan
Moscow
Munich
Paris
Prague
Riyadh
Rome
St. Petersburg
Stockholm
Vienna
Warsaw
Zurich

**North & South
America**

Bogotá
Brasília
Buenos Aires
Calgary
Caracas
Chicago
Chihuahua
Dallas
Guadalajara
Houston
Juarez
Mexico City
Miami
Monterrey
New York
Palo Alto
Porto Alegre
Rio de Janeiro
San Diego
San Francisco
Santiago
Sao Paulo
Tijuana
Toronto
Valencia
Washington, DC

February 7, 2007

The Honorable David G. Trager
United States District Judge
United States District Court for the
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Charles H. Critchlow
Tel: +1 212 626 4496
Charles.H.Critchlow@bakernet.com

Electronic Filing

RE: In re Vitamin C Antitrust Litigation (Master File 06-MD-1638 [DGT][JO])

Dear Judge Trager:

We represent defendant Hebei Welcome Pharmaceutical Company Ltd., and write this letter on behalf of defendants Jiangsu Jiangshan Pharmaceutical Co., Ltd., Hebei Welcome Pharmaceutical Co., Ltd., Weisheng Pharmaceutical Co., Ltd., Shijiazhuang Pharmaceutical (USA) Inc., and China Pharmaceutical Co., Ltd. (hereinafter, the "Moving defendants").

In light of the developments enumerated below, the Moving Defendants now agree to withdraw their Motion to Compel Arbitration [Docket Reference No. 97] with respect to the claims brought by plaintiff The Ranis Company, Inc. ("Ranis").

Ranis itself has not directly purchased any Vitamin C, and instead claims the right to represent an alleged class of direct purchasers based on a purported assignment of claims by a direct purchaser. At the time the subject motion to compel arbitration was filed, Ranis had only recently disclosed the identity of its assignor, thereby revealing for the first time that its assignor had purchased pursuant to a contract with defendant Northeast Pharmaceutical Group Co. Ltd. ("NEPG") mandating arbitration of all claims. NEPG promptly moved to compel arbitration pursuant to those contracts; and Moving Defendants filed the subject companion motion to compel based upon the interrelationship of those contracts and claims to the unitary conspiracy alleged by Ranis against all defendants.

Moving Defendants now agree to withdraw their motion in light of subsequent developments. Specifically:

(1) After reviewing all defendants' moving and reply papers (including expert reports), Ranis on January 3 voluntarily dismissed its claims as to defendant NEPG [Docket No.118]; and

(2) After being directed by this Court to submit supplemental briefing on the motion filed by Moving Defendants [Docket No. 119], Ranis has now filed an Amended Complaint [Docket No. 124] eliminating any claims for damages in respect of any contract containing an arbitration clause, and has redefined its alleged class as "all

BAKER & MCKENZIE

persons or entities, or assignees of such persons or entities, who directly purchased vitamin C for delivery in the United States, *other than pursuant to a contract containing an arbitration clause*, from any of defendants or their co-conspirators, *other than [NEPG]*, from December 1, 2001 to the present.” (Emphasis added).

Ranis’ action in amending its claims effectively concedes the merits of Moving Defendants’ position as set forth in their motion and largely grants them the relief to which they would be entitled in any event. Accordingly, Moving Defendants respectfully notify this Court that they wish to withdraw their motion, subject only to reserving their right to pursue of costs, including attorneys fees at some future date.

Respectfully submitted,



Charles H. Critchlow
Principal

CHC/tn

Cc: Counsel on Attached Service List

SERVICE LIST

Alanna Rutherford, Esq.
BOIES, SCHILLER & FLEXNER, LLP
570 Lexington Avenue, Suite 1600
New York, NY 10022
Tel: 212-446-2300
Fax: 212-446-2350

Attorneys for:
Plaintiff Animal Science Products, Inc.
Plaintiff The Ranis Company, Inc.

Michael D. Hausfeld, Esq.
Brian A. Ratner, Esq.
COHEN, MILSTEIN, HAUSFELD & TOLL,
PLLC
1100 New York Avenue NW
West Tower, Suite 500
Washington, DC 20005
Tel: 202-408-4600
Fax: 202-408-4699

Attorneys for:
Plaintiff Animal Science Products, Inc.
Plaintiff The Ranis Company, Inc.

Brent W. Landau, Esq.
COHEN, MILSTEIN, HAUSFELD & TOLL,
P.L.L.C.
One South Broad Street, Suite 1850
Philadelphia, PA 19107
Tel: 215-825-4012
Fax: 215-825-4001

Attorneys for:
Plaintiff Animal Science Products, Inc.
Plaintiff The Ranis Company, Inc.

William A. Isaacson, Esq.
Tanya Chutkan, Esq.
Brian C. Baker, Esq.
BOIES, SCHILLER & FLEXNER, LLP
5301 Wisconsin Avenue, NW, Suite 800
Washington, DC 20015
Tel: 202-237-2727
Fax: 202-237-6131

Attorneys for:
Plaintiff Animal Science Products, Inc.
Plaintiff The Ranis Company, Inc.

James T. Southwick, Esq.
Shawn L. Raymond
Suyash Agrawal
SUSMAN GODFREY LLP
1000 Louisiana, Suite 5100
Houston, TX 77002
Tel: 713-651-9366
Fax: 713-654-6666

Attorneys for:
Plaintiff Animal Science Products, Inc.
Plaintiff The Ranis Company, Inc.

David Boies III, Esq.
Timothy Battin
STRAUS & BOIES, LLP
4041 University Drive
Fairfax, VA 22030
Tel: 703-764-8700
Fax: 703-764-8704

Attorneys for Plaintiff Audette

Kenneth G. Walsh, Esq.
STRAUS & BOIES, LLP
2 Depot Plaza, 2nd Floor
Bedford Hills, NY 10507
Tel: 914-244-3200
Fax: 914-244-3260

Attorneys for Plaintiff Audette

Sylvie K. Kern, Esq.
GLANCY BINKOW & GOLDBERG, LLP
455 Market Street
San Francisco, CA 94105
Tel: 415-972-8160
Fax: 415-972-8166

Attorneys for:
Plaintiff Andrea Gialanella
Plaintiff Chris Gialanella

James I. Serota, Esq.
Kenneth Lapatine, Esq.
GREENBERG TRAURIG, LLP
200 Park Avenue
New York, NY 10036
Tel: 212-801-2277
Fax: 212-801-6400

*Attorneys for Defendant Northeast
Pharmaceutical Group Co., Ltd.*

Frank E. Merideth, Esq.
GREENBERG TRAURIG, LLP
2450 Colorado Avenue, Suite 400 E
Santa Monica, CA 90404
Tel: 310-586-7700

*Attorneys for Defendant Northeast
Pharmaceutical Group Co., Ltd.*

Daniel E. Gustafson
Daniel C. Hedlund
Amanda M. Martin
GUSTAFSON GLUEK PLLC
650 Northstar East
608 Second Avenue South
Minneapolis, MN 55402
Tel: 612-333-8844
Fax: 612-339-6622

Attorneys for Plaintiff Audette

R. Alexander Saveri, Esq.
SAVERI & SAVERI, INC.
111 Pine Street, Suite 1700
San Francisco, CA 94111
Tel: 415-217-6810

Attorneys for Plaintiff Phillion

Gary R. Greenberg, Esq.
Annapoorni R. Sankaran, Esq.
GREENBERG TRAURIG, LLP
One International Place
Boston, MA 02110
Tel: 617-310-6000

*Attorneys for Defendant Northeast
Pharmaceutical Group Co., Ltd.*

Charles H. Critchlow, Esq.
Darrell Prescott, Esq.
Douglas M. Tween, Esq.
BAKER & MCKENZIE, LLP
1114 Avenue of the Americas
New York, NY 10036
Tel: 212-626-4496
Fax: 212-626-4120

*Attorneys for Defendant Hebei Welcome
Pharmaceutical Co. Ltd.*

Daniel S. Mason, Esq.
Joseph W. Bell, Esq.
Athena Hou, Esq.
ZELLE HOFMANN VOELBEL MASON &
GETTE, LLP
44 Montgomery Street, Suite 3400
San Francisco, CA 94101
Tel: 415-693-0700
Fax: 415-693-0770

Attorneys for Defendants:
Weisheng Pharmaceutical Co., Ltd.,
Shijiazhuang Pharmaceutical (USA) Inc.,
China Pharmaceutical Group, Ltd.

Dale C. Christensen, Jr., Esq.
SEWARD & KISSEL, LLP
One Battery Park Plaza
New York, NY 10004
Tel: (212) 574-1589
Fax: (212) 480-8421

Attorneys for Defendants:
Weisheng Pharmaceutical Co., Ltd.,
Shijiazhuang Pharmaceutical (USA) Inc.,
China Pharmaceutical Group, Ltd.

William Gerald McElroy, Jr., Esq.
ZELLE HOFMANN VOELBEL MASON &
GETTE, LLP
950 Winter Street, Suite 1300
Waltham, MA 02451

Attorneys for Defendants:
Weisheng Pharmaceutical Co., Ltd.,
Shijiazhuang Pharmaceutical (USA) Inc.,
China Pharmaceutical Group, Ltd.